

Members

Rep. Troy Woodruff, Chairperson
Rep. Sheila Klinker
Sen. Marvin Riegsecker
Sen. Connie Sipes
Sylvia Marie Brantley
Christopher Durcholz
Daniel R. Harshman
Suda Hopkins
Sally Lowery
Scott MacGregor
Betty Williams
Darin J. Yoder



COMMISSION ON MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

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MEETING MINUTES¹

Meeting Date: August 22, 2006
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington St., Room 130
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Rep. Troy Woodruff, Chairperson; Rep. Sheila Klinker; Sen. Connie Sipes; Sylvia Marie Brantley; Christopher Durcholz; Suda Hopkins; Scott MacGregor; Betty Williams; Darin J. Yoder.

Members Absent: Sen. Marvin Riegsecker; Daniel R. Harshman; Sally Lowery.

I. Call to Order

Representative Troy Woodruff, Chairperson, called the meeting to order at 10:05 A.M. and asked the members to introduce themselves.

II. Update on Closing of Silvercrest Children's Development Center (Silvercrest)

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Dr. Judith Monroe, Commissioner, Indiana State Department of Health (Department), discussed the procedures followed by the Department in closing Silvercrest. (Exhibit 1) The decision was made to close Silvercrest based on the fact that the model on which Silvercrest was built was obsolete both in programing and physical plant. On November 22, 2005, the Department announced that the facility would be closed, and Silvercrest was closed in May of 2006.

The Department contracted with Unity of Indiana to help with the placement of the 44 children at Silvercrest. The following disposition was made for the children:

- 20 are at home
- 20 are in group homes with 24 hour services
- 2 are at LaRue D. Carter Memorial Hospital
- 1 is in a juvenile facility
- 1 is in an out-of-state placement

According to Dr. Monroe, each child was placed in compliance with the individual education plans developed for the child.

The fixed assets of Silvercrest were auctioned and proceeds of the auction were in excess of \$17 million. The real property has been declared as surplus property by the Department of Administration. The Department of Natural Resources is evaluating the physical plant to see if it meets standards for designation as of historical interest. That evaluation should be completed soon. The budget for the current fiscal year is estimated to have a surplus of \$6,861,020.

The Department has convened a roundtable including parents, the Family and Social Services Administration (FSSA), the Department of Education (DOE), and professionals in the field to determine what services the children formerly served at Silvercrest and children with similar needs throughout the state need most. According to Dr. Monroe, there is a great deal of frustration on the part of parents in finding the appropriate services for their children. The roundtable developed a plan to use today's technology to provide for a call center that families can access to find appropriate services.

In answer to questions from Chairperson Woodruff, Dr. Monroe said that FSSA will be responsible for operating the call center. A request for proposals (RFP) is being prepared to be issued by the end of the year to get the call center operational. The center will be funded from the \$6.8 million saved by closing Silvercrest.

When closure of Silvercrest was announced, there were 167 employees. Currently there are two employees who are maintaining the physical plant. Dr. Monroe provided information concerning training and assistance offered to employees. (Listed in Exhibit 1) Mr. Lance Rhodes, Chief Financial Officer for the Department, reported that unemployment claims have dropped to 72 claims for August.

Senator Sipes expressed her concerns that students are actually receiving the programing they need. The information provided by the Department concerning placement includes categories indicating that the children are "well adjusted" and receiving "appropriate supports". Senator Sipes asked who is making those determinations. Dr. Monroe said that those studies were made by Unity of Indiana which is doing the follow up for the closure. Senator Sipes indicated that continued study is needed to ensure that the children are receiving necessary services in the community. She is concerned that the services formerly available at Silvercrest may not be available to the children and that the model for the call center may actually be a large part of what Silvercrest was providing.

III. Updates from the Family and Social Services Administration

A. Mr. Peter Bisbecos, Director, Division of Disability and Rehabilitative Services (DDRS) (Division) Mr. Bisbecos provided the members with information outlining his presentation. (Exhibit 2) He emphasized that the Division is working on developing its focus for lifetime empowerment. The Division is working on models to help families set goals for the future and then measure the success of steps taken to reach the long-term goals. Due to changes in the way services are delivered, the Division is planning to redirect \$14 million for additional services for clients. The money saved from the closure of the Fort Wayne State Developmental Center (Fort Wayne) will also be used for services.

Fort Wayne State Developmental Center will be closed by July 1, 2007. For the closure of Fort Wayne, the Division is proceeding differently from previous closings. The Division has had meetings with staff and parents to determine what type of services are needed. The Division has identified a need for new homes for medically fragile individuals who will be leaving Fort Wayne and by January of 2007 plans to have new medically-focused group homes available. Additionally, by February of 2007, there will be new extensive support needs (ESN) group homes.

Mr. Bisbecos discussed the plans for use of the Medicaid waivers for state fiscal year 2006-2007 to reduce waiting lists for waiver services. Those plans are on the chart titled "SFY07 Medicaid Waivers" included in Exhibit 2. Mr. Bisbecos discussed the need to build capacity for providing services, including a crisis management system starting with the call center included in Dr. Monroe's presentation. The first wave of new services should result in the removal of 650 individuals from the waiting lists. That should include the children whose needs are the most expensive to serve. The Division plans to meet the needs of the rest of the individuals on a waiting list, that now includes approximately 15,000 individuals, in the second wave over the next two years. The plan is to use waiver money in addition to money saved from closing institutions.

The Division is working to develop a single case management structure. Previously there was not a lot of uniformity in case management services. A consortium of six providers has created Indiana Professional Management Group (IPMG) which, beginning in September, will provide all case management. The ultimate goal for the case management system is to begin planning for life span empowerment which will allow for the planning and evaluation of services based on long-term goals set for each individual.

Representative Klinker expressed concerns about the privatization of case management. Mr. Bisbecos said that most case management has always been provided through the purchase of services. The six providers making up IPMG are already providing 25% of case management services. Part of the plan is to reduce case loads for case managers. Representative Klinker also asked how First Steps would be integrated into the case management process. Mr. Bisbecos said that First Steps needs to be considered as part of the life span planning. First Steps currently covers children from birth to three years of age. Then special education is responsible until an individual is between 18 and 22. Under the new plan, First Steps will again become involved when special education is completed. The new procedures will include planning earlier for each individual and anticipating needs when special education is no longer responsible. The Division is also in the beginning stages of contracting for crisis management.

There was discussion on the need to increase payment for service providers to ensure continuity of quality care. Senator Sipes indicated that she thinks paying a living wage to care providers is essential. She also expressed concerns that FSSA and the

Department of Health have not treated families and other stakeholders with respect when closing institutions. Representative Klinker reminded the Commission of advances in technology like the Rest Assured program that allows a much less labor intensive method for monitoring individuals in group homes. The Commission also discussed the issues facing aging parents who are taking care of their developmentally disabled children. Mr. Bisbecos said that the increase in crisis care planning includes a component for dealing with the situation of aging caregivers.

B. Ms. Lora Miller, Director, First Steps, discussed the legislation requiring First Steps to bill private insurance. The program has been billing insurance since April. There is a process to grant waivers to families that cannot bill their insurance for some reason. When First Steps receives an insurance payment, the payment is shown as an adjustment to the copayment required of the family for the next service period. The program is also willing to work with families that do not think they can meet the copayment requirements.

IV. Update on Concerns of the Arc of Indiana

Mr. John Dickerson, Executive Director of the Arc of Indiana, provided the members with maps showing the location of individuals receiving and needing services. (Exhibit 3) In addition to discussing the waiting lists, Mr. Dickerson discussed the need to address the issue of aging parents as care givers. He stated that it is essential to retain the money saved from closing Silvercrest and Fort Wayne to provide services. He also expressed concern that four years ago the state used \$22 million from the tobacco settlement to fund services. He believes that at some point that trend needs to be reversed since tobacco money is diminishing.

Mr. Dickerson expressed support for the Governor's initiative to increase the tobacco tax and advocated using proceeds received from a tax increase to pay for services for persons with developmental disabilities. The Arc of Indiana is also concerned with developing programs for individuals who graduate from special education programs. Crisis management and intervention also should be addressed. Mr. Dickerson reiterated what others had said about the need to increase wages and training for care givers. Creating a system to give families more discretion and responsibility in spending for services would be useful.

V. Adjournment

Representative Woodruff said that there will be a meeting in September to discuss budget issues. The meeting was adjourned at 12:30 P.M.